

IN THE UNITED STATES DISTRICT COURT FOR THE  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

**HILDA L. SOLIS, Secretary of Labor,  
United States Department of Labor,**

**Plaintiff,**

**vs.**

**NEW CHINA BUFFET #8, INC., YUN DA  
CHEN, and Individual and YONG KAI  
CHEN, an Individual,  
Defendant**

**Crim. No. 5:10-CV-78 (CAR)**

**DECLARATION OF YONG KAI CHEN**

COMES NOW Yong Kai Chen and declares under penalty of perjury as follows:

1.

My name is Young Kai Chen. I am over 18 years of age and under no legal disability. The facts stated in this Declaration are true and correct and are based upon my personal knowledge.

2.

I am not and have never been employed by New China Buffet #8, Inc., and I have never had any ownership interest in New China Buffet #8, Inc., or any other restaurant operating in Bibb County, Georgia.

3.

In approximately early Spring of 2009, I began negotiating with Yun Da Chen regarding the possible purchase of New China Buffet #8, Inc. I do not remember the exact date. I am not related to Yun Da Chen.

4.

As part of my due diligence, I came to Macon Georgia the Spring of 2009 and spent a few days at New China Buffet #8, Inc. in order that I could observe the restaurant functioning. I did not want to purchase the restaurant without seeing it in operation first.

5.

After spending a few days at the restaurant and observing its operation I decided that I did not want to purchase New China Buffet # 8, Inc.


6.

I have never:

- A. Had the power to hire, fire or discipline workers at New China Buffet # 8, Inc.;
- B. Had responsibility for supervising or controlling work schedules or conditions of employment for workers at New China Buffet # 8, Inc.;
- C. Determined the rate or method of compensation for workers at New China Buffet #8, Inc.;
- D. Maintained any employment records for workers at New China Buffet #8, Inc.;
- E. Had control over the day-to-day operations of New China Buffet #8, Inc.; or
- F. Made any decisions about the hiring, firing or compensation of workers at New China Buffet #8, Inc.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 13, 2010.

  
YONG KAI CHEN